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AMERICAN LIBERTY AND SOCIAL EFFICIENCY

BY REV. HERBERT H. GOWEN, D.D.

I WRITE this paper, against the all-but common consent of those about me, to express a fear that this land of the free, made free through the long struggles of Christian liberty with the "beggarly elements" of legalism, is slowly but surely on its way to become "a servile state." Together with this goes the protest against methods of reform which turn evangelists into jurists, and temperance workers into "dry-squads." My protest, however, is rather against that elusive thing we call a tendency than against any particular exemplification of it. To judge the illustration apart from the principle is inevitably to misconceive it. Some time ago Mr. Bernard Shaw was asked to visit America. The substance of his reply is in the following quotation from his letter:

They do not know the risks they are asking me to run when they invite me to cross the Atlantic. . . . If President Wilson will give me a safe conduct insuring my return from the lines of American morality, I shall be much more likely to trust myself to the eagle's beak.

Much of the letter is excellent fooling and, doubtless, only half sincere, but the irony of it is only possible because there is present also a grain of truth, and, as the rose-leaf beneath the mattress was enough to disturb the princess' repose, so the truth beneath Mr. Shaw's words is sufficient to ruffle for a moment our national complacency.

America is, without doubt, intent upon solving her social problems by legislative action. I have not troubled to make any comparative study of the later crops, but there is good reason to believe that the usual bumper harvest has not been diminished. I do not emphasize unduly the sweeping epidemic of prohibition legislation, though I can understand

neither the serene security of those protagonists who have succeeded in translating their fanaticisms into law nor the passive acquiescence of those to whom the assumptions of the other side must be abhorrent. But, associated with "bone-dry" laws and the like, we have a crop of propositions looking even to the exclusion from the mails of any literature so scandalously reactionary as to have a good word for wine. Oliver Wendell Holmes never realized how prophetic was his muse when he penned a poem as emended by "what is called a teetotaler." What new scope there is for such emendation to-day! The Bible must, of course, be bowdlerized, and the Classics, to Dr. Flexner's delight, consigned to limbo. Anacreon will become an anachronism and Pindar survive by virtue of a single line. Horace will become Horatius Siccus instead of Horatius Flaccus. The Higher Critics, too, will have splendid opportunity to prove that "the aquavinic thaumaturgy at Cana is wholly inconsistent with the psychology of the Master of the Feast as modern research has analyzed it."

I would not overstress this particular instance. There is much else. A Chicago judge recently said that the people of Illinois are the finest in the world except that every time they hear a good joke they insist on enacting it into law. The people of Illinois are not peculiar. There are anti-cigarette laws to protect American youth, anti-hatpin laws to save ladies from the suspicion of being amenable to humane suggestion, anti-expectoration laws to overcome by compulsion the inveterate vulgarity of American gentlemen, laws to say when the playing of the National Anthem is in good taste and to control the use of the National Flag. If any possible inhibition has escaped the eye of the legislator, it is due to accident, not to absence of intent. Under such a régime we shall become a nation of social parasites, led, as Ibsen says, "battalion-wise, just as a corporal leads his men." People forget that Heine said: "If Europe become a single prison, there would still be another hole for escape,—I mean America, and, God be praised, that hole is larger than all the prison."

I must here distinguish, once for all, between legislation adopted under normal circumstances and that necessitated by emergencies such as war. It will freely be conceded that war measures may involve the largest curtailment of individual rights, since, under such circumstances, civil liberty is

practically suspended for the common good. No patriot will think of grumbling, because he believes himself entitled in ordinary times to a liberal measure of individual liberty. But for the majority of the moment to decree that limitations imposed by war must necessarily be made permanent, must be regarded as an unwarrantable extension of its authority.

Before discussing the other point of view, let me just touch the question of historical justification. The attempt to reform human nature by pressure imposed mainly from without has frequently been made and has as frequently failed. The past is strewn with the wreck of schemes put forth for the purpose of replacing "*mores*" by "*leges*." The fit comment on them is the question of Horace, "*Quid leges sine moribus vanae proficiunt?*" Such laws as the Oppian, Orchian, Fannian, and many another, will illustrate what I mean. Tiberius was, strangely enough, the first to stand out for a higher degree of liberty by suggesting that the improvement of manners might turn out to be more effective than the enactment of laws. The Empire of China carried experiment in this direction further and more continuously than any other land, and may it not be said that the success obtained lost China her very soul, leaving her pathetically servile to a régime of barren etiquette from which she has been unable to escape?

Japan also went far along the same road, and you may find well-nigh incredible stories of the length to which such legislation was carried. Ecclesiastical Judaism, prior to the Christian era, committed itself to the same course and the teachings of the prophets were smothered in legalism. We shall recall the denunciation hurled at those who were continually binding burdens on the consciences of men which, as St. Peter declared, "neither we nor our fathers were able to bear." The fight which Paulinism waged was in the interests of liberty, to save the Church from the dead weight which made righteousness the doing of prescribed things so complex that they multiplied transgressions and begat despair. St. Paul found obedience to the outward law clouding the finer powers of the soul. It was to him the struggle between the bond-woman and the free. There were, of course, risks in freedom which weak wills and excitable brains failed to weather. There was antinomianism then as in the days of Luther. But the net result was incalculable gain,

and while, on the one hand, the Apostle declared fiercely, "the strength of sin is the law," on the other hand he developed a conception of liberty which Christianity has made the common property of mankind. He even invoked anathema on anyone, even though an angel from heaven, who should preach a different gospel.

History in general shows that human nature sooner or later claims this liberty as its heritage and recoils from an artificially promoted legalism. But, where the chains have been worn for any length of time, the consequences become tragically evident. It is sufficient to recall Tagore's story, *The Kingdom of Cards*, where everybody moved "according to the rules," and in consequence listlessly and lifelessly, until the Three Companions came and turned the Island upside down by creating desire in the land. In like manner, when men have sunk to what Emerson calls "a mush of concession," some healthy irruption of personality has come to humanity, lifting men out of stagnation and inspiring them to that "high failure which o'ertops the bounds of low success."

For, indeed, the mistake which is at the bottom of attempts to secure a world mechanically efficient at the expense of life, innocent at the expense of strength, is more than a mistake. It is a sin,—a sin against personality. "A man," says Kant, "is always to be regarded as an end in himself, never as a means to an end." In other words, he is not a chattel, but a person. And the price which has to be paid for personality is the patient acceptance of a very slow development. It is necessarily development in which the external pressure of environment does not overbalance the working of an interior force. The impatient world prefers the efficiency of machines to the possible, and even probable, errors associated with the evolution of character.

Mr. Wells, on the other hand, says that the Great State will prefer a certain amateurishness in its service to the trite omniscience of the stale official. Dr. McBain of Columbia recently said: "For many years the German city has been held up to us as a model towards which we in our municipal affairs should strive. I like to believe that there is not a community in this great land that would tolerate for a year all the principles and methods of government that prevail in German cities. . . . In our progress towards effectiveness we must preserve what to us is the breath of our political

being,—the free manhood and womanhood of the individual." Many years ago, a great English Bishop, dealing with the temperance question, made an epigram which has since been used to cast a slur upon his memory and upon the sanity of those who stood with him. The statement is, nevertheless, fundamentally true. Bishop Magee said, "I had rather see England free than compulsorily sober." What he meant is obvious. Sobriety is, for the most part, a negative virtue, which may be attained, as to-day, by restrictive legislation. Freedom, on the other hand, is strength to maintain personal self-respect in the face of temptation. The one is the innocence of a man kept under lock and key; the other is the health of one who walks abroad with an educated control over the appetites of his lower nature. The one can only say, "*Non possum peccare*"; the other says, "*Possum non peccare*," and theology holds rightly that there is all the difference of two worlds between the two phrases.

To proceed further: Because the mistake alluded to is sin against personality, we may expect flaws in the methods adopted to abate the evil. There is a certain parallelism between the prohibitionist and the pacifist. Each is more horrified by the symptom than by the disease. To the prohibitionist the fundamental evil is not the weakness of an untrained will, but rather the loathsome exhibition which makes the drunkard a public nuisance. The man might remain a negative and will-less creature provided he did not create a row in the streets. The demon is in the liquor he imbibes, not in his own soul. Similarly, the pacifist is shocked less by the greed and selfishness which make peace impossible than at the red fruit which these things produce on the battlefield. The one wants to protect his fastidious regard for respectability by the enactment of "bone-dry" laws; the other to cover up international corruption with a "Peace" precariously achieved by Hague Conventions.

We arrive at the conviction that the restrictive method estimates amiss the causes of social and international disorder. The crime is fastened upon the thing which is abused rather than on the personality which is guilty of the abuse. The external thing which, in common with all the universe, contains for an all-wise purpose the germ of temptation, is damned instead of the ungoverned impulse which makes sin by yielding to intemperate desire. Phaethon is not to be blamed for setting the world on fire, but the sun-chariot

which should have been kept in the garage. The knife must be blamed, not the murderer; the tempting opportunity, not the criminal. The error which has differentiated the First Adam, tempted and defeated, from the Second, tempted and victorious, is God's, Who permitted temptation to enter Eden under the impression, plainly mistaken, that the undefeated man was to be developed on a battle-field in which his battles were all too frequently defeats.

Again, we have a wrong conception of man's moral perfection. It is the apotheosis of the negative man. The virtuous man does not drink, does not smoke, does not play cards, does not go to the theatre, and enjoys otherwise a life circumscribed and bristling with "Thou shalt nots." The acme of virtue is only consistently reached, as in fact many beautiful epitaphs suggest, when a man is dead and safe forever from all the challenge of life. Many a one who breaks out here and there from a straitened environment is yet a more promising asset to society than he who simply lies passive to social constriction. Amiel, in his "*Journal intime*," describes a band of drunken revellers passing his house at night and asks why such a degrading manifestation was possible. He concludes that it is but a crude effort of undeveloped personality to express itself. So, although the exhibition is "*la caricature de notre plus précieux privilège . . . la parodie de notre apothéose et l'encanaillement de notre suprême grandeur*," he feels in it also the revelation of a personal spirit refusing to be subjugated by Nature. I confess sympathy with the view of Amiel.

Life, again, must be considered as enrichment, in choice of will and experience as well as in intellectual outlook. This would seem inevitable for those who enroll themselves followers of Him Whose first "sign," the key-note of the ministry to follow, was the transforming of water into wine, One Who was called "a gluttonous man, a friend of publicans and sinners," One Who made the Feast of Bread and Wine the great sacramental rite of Christendom. Manichæanism and Christianity parted company on the very question as to whether salvation meant the mere rescue of particles of light from contamination with grosser matter or the enrichment of life by experience through incarnation.

Once again, there is a wrong, because thoroughly materialistic, view of man's final destiny. Heaven is demanded here and now, just as, and on the same terms as, peace is

demanding by the pacifist. It is, in short, such a heaven as the Convention of Correction and Charities would arrange for a docile public at a month's notice. The long patience of God, Who educates through æons unimaginable, is incredible to the spirit which would have God speed up a lagging universe and eliminate the prize which is in the process. Where God conceived a heaven of strong ones climbing out of "Inferno" to see the stars, passing cornice by cornice along the painful way of "Purgatorio," modern reformers would place a capacious and a comfortable asylum with barred windows and softly padded cells into which all alike, strong and weak together, are safely folded for an eternity of ennui.

Beyond, however, all these theoretical misconceptions, there are to be noted serious evidences of practical failure. I content myself with the barest allusion.

First, there is the promotion of illicit drinking, frequently taking the form of indulgence in drink more mischievous, physically and morally, than the beverages covered by the general proscription.

Secondly, there is the growth of connivance in law evasion which would seem to follow logically from the supersession of the principle of self-control by dependence upon a statute-book the more voluminous as society develops a larger number of punishable frailties. Weak men, left weak, will inevitably react for evil on their country's institutions, and, when government becomes equivalent to paying a policeman, there will soon grow up a disposition to act behind the policeman's back. The principle of "*cupimus negata*" is well-nigh universal. General contempt for the majesty of the law follows till the crows perch insolently on the scare-crows and laws against the carrying of revolvers only multiply the homicides and "bone-dry" laws serve only to increase intemperance.

Thirdly, after legislation has rolled its car of Juggernaut over the whole social system, the essential weakness is left untouched. The real intemperance which has been so well described by the poets, painters and allegorists of old, in its most ghastly manifestations is left unscathed.

Let us come to something more constructive, since I am in no sense an advocate of *laissez-faire*. The forces of evolution may be very sensibly aided by human co-operation and one must not minimize the importance of affording, at cer-

tain stages, that protection to the weak which we concede to the child in the cradle. One should, nevertheless, exclude those protective methods which are likely to stultify the impulse toward free initiative. These every generation must develop, use and pass on to posterity. Therefore I emphasize the fear lest democracy drift into a despotism, lest the interest of the sub-normal man determine all by the standard of the weak and regulate all motion by the speed of the slow. I contemplate with impatience a society in which "*Verboten*" is the common label on privilege, in which everything that offers risk to the immature is to be censored out of existence, in which all knives are sedulously blunted, no books sold but such as may be read by *jeunes filles*, and all the challenging liberality of life exchanged for measured paddocks securely fenced.

The saloon became a social nuisance, not from the sale of drink, but because the social negligence left it to become a wicked thing. There are many good people willing to perform the same kind office for the theatre, the dance-hall, and other familiar forms of recreation.

In short, society has neglected the social instincts of the downmost, has even hounded them beyond the pale of decency, and has then exclaimed with unction, "Fie, let us drive out this demon and whitewash his dwelling-place!" In the nature of things, under proper control and with social sympathy, there is no reason why the saloon, selling pure beverages, should not provide as harmless and even useful a resort for tired men as a beer-garden in Munich or a public inn on the high roads of France. The lack of proper consideration for the social needs of men made the saloon what it has become; the timely provision of that consideration might, with patience, work the desired reform.

Happily, social reform is not limited to methods which disregard the proper freedom of the individual.

1. There is a fruitful field in the dealing with individuals as individuals. Sufferers from alcoholism may be treated with the personal tenderness bestowed upon other victims of disability and disease, instead of being made the butt of brutal denunciation or still more brutal laughter. Medical treatment, involving the placing of certain cases under temporary restraint, the raising of the power of physical and volitional resistance, will suggest methods fraught with tremendous possibilities for good. Beyond even the fortifying

power of medical aid will be the influence of loving and helpful personality. Many who resent restriction imposed by external authority will consent to a voluntary abstinence to avoid the giving of offence to a weaker brother.

2. The reform of drunkenness should be associated with reform of conditions which make drunkenness possible. I have little faith in statistics which assign particular evils to particular definite causes, but I am within the limits of the truth when I affirm that poverty, dullness and generally sordid conditions of living lead to drunkenness at least as often as drunkenness leads to these other miseries. Make life more interesting, healthier, saner, less monotonous, less overshadowed by drudgery, and we shall see less disposition to have one's fling in a debauch.

3. Above all is the supplanting of the lower passions by the impartation of divine grace, the strength which has carried millions beyond the handicaps of a merely natural endowment and has made the weakling a prince with God. In a land where many still profess the Christian faith and where the cause of social reform is so largely associated with a Christian profession, there need be no hesitation in pointing to a means of salvation which has some resemblance to the method employed by Christ Himself and which calls for something greater than bolts and bars.

It is said that democracy itself is justified as a principle of government because every popular mistake reacts in educative value upon the people to make further mistakes the less likely. But, if social efficiency here and now is the one thing to be considered, ought we not forthwith to call for the services of some "man on horse-back" to establish a benevolent despotism? Would it not be better to substitute Prussianism with its resulting efficiency rather than endure present ills in the interest of the slow and painful travail of American democracy? As I look at the slow progress of the whole human story, I see much of the same kind of evolution on the grand scale as I find on the small scale in the history of Anglo-Saxon civilization. There is much present waste, much inefficiency, much muddling through, but with it all I see a gradual adaptation to ends which makes the result an organic thing rather than a perfected piece of mechanism.

Possibly America is at the parting of the ways. Will she choose the normal way along which our civilization has hitherto advanced, or will she inure herself to the tyranny

through which present efficiency is secured at the risk of endangering the higher type of life?

I have no desire to minimize the success, of a particular kind, which may be expected along the path our legislation has apparently chosen. I shall not dispute the gains in manifold directions, whether you analyze the records of the police-court, the markets or the banks,—though I may believe that the statistician will frequently enregister advance where the moralist will be disposed to see decline. But I consider this kind of progress as equivalent to being made to move on by the police, and I find a tremendous and unbridgeable gulf between the civilization thus attained and the life which has fought its way to freedom through “clench’d antagonisms,” to make “temptation crouch beneath the feet” and so stand “pedestall’d in triumph.”

HERBERT H. GOWEN.